



Children (Scotland) Act 1995

1995 CHAPTER 36

PART IV

GENERAL AND SUPPLEMENTAL

[^{F1}101C Contact services: regulation

- (1) The Scottish Ministers may by regulations make provision about the regulation of a contact service provided in relation to the requirements of a contact order.
- (2) Regulations under subsection (1) may in particular—
 - (a) make provision for the minimum standards to be met by contact service providers, including qualifications and training of staff,
 - (b) make provision for the registration of contact service providers that meet those minimum standards and, for those that do not, the refusal of registration or removal from the register (including appeal rights),
 - (c) make provision for minimum standards to be met by contact centres (including standards in respect of accommodation),
 - (d) make provision for the registration of contact centres that meet those minimum standards and, for those that do not, the refusal of registration or removal from the register (including appeal rights),
 - (e) make provision about the conditions on which a regulated contact service provider may, in accordance with the regulations, provide a contact service at a place that is not registered as a contact centre (including conditions about the minimum standards for accommodation at a place if it is to be used for that purpose),
 - (f) appoint a person or persons for the purposes of administering the registration of contact service providers and contact centres,
 - (g) confer functions on the appointed person or persons,
 - (h) determine the fees payable in connection with the registration of a contact service provider or contact centre.
- (3) Functions conferred by virtue of subsection (2)(g) may include—

Changes to legislation: Children (Scotland) Act 1995, Section 101C is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) inspecting contact centres, regulated contact service providers and contact service providers applying for registration,
 - (b) having risk assessments of contact centres undertaken by persons trained in undertaking such assessments,
 - (c) issuing reports on the inspection of contact centres, regulated contact service providers and contact service providers applying for registration,
 - (d) issuing reports on any failure, or possible failure, by a contact service provider to comply with the provider's duties under the Equality Act 2010, and in particular any duty to make reasonable adjustments to premises in order to facilitate their use by disabled people,
 - (e) refusing to register contact service providers and contact centres, and removing from a register regulated contact service providers and contact centres, that do not meet the minimum standards.
- (4) Regulations under subsection (1)—
- (a) may make such modifications to other enactments as the Scottish Ministers consider appropriate for the purposes of, or in connection with, or for giving full effect to the regulations,
 - (b) are subject to the affirmative procedure.
- (5) In this section—
- “contact centre” means a place that is used for the provision of a contact service,
- “contact service” means the facilitation of contact between a child and a person with whom the child is not, or will not be, living (including the handover of the child to that person),
- “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament,
- “regulated contact service” means a contact service that—
- (a) is provided by a regulated contact service provider, and
 - (b) is either—
 - (i) provided at a place that is registered as a contact centre in accordance with regulations under subsection (1), or
 - (ii) provided in circumstances in which the provider may, in accordance with regulations under subsection (1), provide the service at a place that is not registered as a contact centre,
- “regulated contact service provider” means an organisation that is registered in accordance with regulations under subsection (1) to provide contact services.]

Textual Amendments

F1 S. 101C inserted (25.10.2021) by Children (Scotland) Act 2020 (asp 16), ss. 10(3), 34(2); S.S.I. 2021/339, reg. 2(c)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#) (This amendment not applied to [legislation.gov.uk](#). These Regulations never came into effect, having been revoked before coming into force by [S.I. 2010/1906, reg. 2](#))
- Act power to modify conferred by [2010 asp 8, s. 190\(2A\)](#) (as substituted) by [2024 asp 5 s. 29\(2\)\(b\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 3\(3A\)\(ba\)](#) inserted by [2009 c. 24 Sch. 6 para. 25](#)
- [s. 4B](#) inserted by [2020 asp 16 s. 28\(2\)](#)
- [s. 6\(1A\)-\(1D\)](#) inserted by [2020 asp 16 s. 1\(2\)\(b\)](#)
- [s. 10\(1A\)](#) inserted by [2024 asp 2 Sch. 1 para. 18\(b\)](#)
- [s. 11\(14\)](#) inserted by [2020 asp 16 s. 10\(2\)\(b\)](#)
- [s. 11B11C](#) inserted by [2020 asp 16 s. 8\(2\)](#)
- [s. 11B\(2\)](#) power to amend conferred by [2020 asp 16 s. 32](#)
- [s. 11D](#) inserted by [2020 asp 16 s. 17\(2\)](#)
- [s. 11D\(3\)](#) power to amend conferred by [2020 asp 16 s. 32](#)
- [s. 11E](#) inserted by [2020 asp 16 s. 18\(2\)](#)
- [s. 11F](#) inserted by [2020 asp 16 s. 20\(2\)](#)
- [s. 11G](#) inserted by [2020 asp 16 s. 22\(2\)](#)
- [s. 11ZA11ZB](#) inserted by [2020 asp 16 s. 1\(4\)](#)
- [s. 11ZA\(2A\)](#) inserted by [2020 asp 16 s. 30\(2\)](#)
- [s. 11ZA\(3\)\(f\)](#) inserted by [2020 asp 16 s. 16\(2\)](#)
- [s. 16\(1A\)](#) inserted by [2020 asp 16 s. 30\(3\)](#)
- [s. 16\(2\)-\(2B\)](#) substituted for [s. 16\(2\)](#) by [2020 asp 16 s. 1\(6\)](#)
- [s. 17A](#) inserted by [2024 asp 5 s. 24\(2\)](#)
- [s. 33A](#) inserted by [2024 asp 5 s. 30\(2\)](#)
- [s. 100A](#) inserted by [2020 asp 16 s. 21\(2\)](#)
- [s. 101D](#) inserted by [2020 asp 16 s. 11\(2\)](#)
- [s. 101E](#) inserted by [2020 asp 16 s. 12\(2\)](#)